

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

Cr. No. H-24-0608

JOEY LAMAR ELLIS

UNOPPOSED MOTION TO CONTINUE

Defendant, Joey Lamar Ellis, moves this Court for a 120-day continuance of all dates, and he respectfully shows as follows:

Mr. Ellis is charged with deprivation of rights under color of law, in violation of 18 U.S.C. §242; brandishing a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A); and obstruction of justice, witness tampering, in violation of 18 U.S.C. § 1512(b)(3) . The pretrial motions deadline was December 23, 2024; the pre-trial conference is set for January 17, 2025, at 10:00 a.m., and jury trial is set for January 27, 2025, at 9:00 a.m.

Counsel has not yet received discovery and once received, will need additional time for review and investigation. Counsel needs more time to complete his investigation and analysis, and then to file pretrial motions, if necessary, and to prepare for trial, if necessary. Moreover, additional time is needed to discuss the case with Mr. Ellis.

The defendant respectfully submits that the best interests of justice served by granting this motion for a continuance substantially outweigh the interests of the defendant and the community in a speedy trial, and that failure to grant the continuance would deprive defense counsel of sufficient time to prepare for trial.

The government is unopposed to this motion to continue.

Respectfully submitted,

PHILIP G. GALLAGHER
Interim Federal Public Defender
Southern District of Texas No. 566458
New Jersey State Bar No. 2320341

By /s/ Darryl E. Austin
DARRYL AUSTIN
Assistant Federal Public Defender
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CERTIFICATE OF CONFERENCE

I certify that I conferred with Assistant United States Attorney Sharad Khandelwal and determined that the United States is unopposed to this first motion to continue.

By /s/ Darryl E. Austin
DARRYL AUSTIN

CERTIFICATE OF SERVICE

I certify that on January 10, 2025, a copy of the foregoing was served by Notification of Electronic Filing and will be delivered by email to the office of Assistant United States Attorney Sharad Khandelwal.

By /s/ Darryl E. Austin
DARRYL AUSTIN